

REMARKS

This Application has been carefully reviewed in light of the *Office Action*. At the time of the *Office Action*, Claims 1, 3, 5-8, and 24-38 were pending and rejected. Applicants have added Claim 39. Applicants respectfully request reconsideration and favorable action in this case.

Section 103 Rejections

The Examiner rejects Claims 1, 3, 5-8 and 24-37 under 35 U.S.C. § 103(a) as allegedly being unpatentable over “Security Assertions Markup Language (SAML)”, Netegrity, May 20, 2001, Pages 1-7 (“*the SAML Reference*”) in view of U.S. Patent No. 6,892,307 to Wood et al. (“*Wood*”) and in view of Mishra et al. (“Security Services Markup Language”, January 8, 2001 (“*Mishra*”)). The Examiner rejects Claim 38 under 35 U.S.C. § 103(a) as allegedly being unpatentable over *the SAML Reference* in view of *Wood* and in view of *Mishra* and further in view of U.S. Patent No. 6,959,336 to Moreh et al. (“*Moreh*”). Applicants respectfully traverse those rejections.

- I. **Neither *the SAML Reference* nor *Mishra*, either alone or in combination, disclose, teach, or suggest the limitations “if the private key matches the public key in the assertion, granting at the agent the second request” as recited in Claim 1.**

Claim 1 is allowable at least because the cited references do not disclose teach or suggest the following combination of limitations:

intercepting at the agent a second request to grant the web service customer access to the second web service, the second request comprising the assertion and a signature associated with a private key; and

if the private key matches the public key in the assertion, granting at the agent the second request without reauthenticating or reauthorizing the web service customer.

To reject those limitations, the Examiner relies on *the SAML Reference*. *Office Action*, page 4, lines 5-7. However, *the SAML Reference* is completely devoid of any teaching of granting a request “if the private key matches the public key in the assertion” as recited in Claim 1. Rather, the passage of *the SAML Reference* relied upon by the Examiner discloses that various “destination websites” may collect authentication information from a

“credential collector” based on a token provided by the user in order to authenticate that user.

According to the passage:

An end-user authenticates with a source Web site. The end-user then accesses a protected resource at another Web site, without having to re-authenticate herself at that Web site (the destination Web site).

In this model, **the destination Web site can "pull" authentication information from the source Web site based on references or tokens provided by the end-user. The source Web site then acts as a credentials collector**, authentication authority, and attribute authority. The destination Web site acts as a Policy Decision Point (PDP) and Policy Enforcement Point (PEP). . . .

In this same scenario, a third-party security service can provide authentication assertions for the end user. **Multiple destination Web sites can then use the same authentication assertions to authenticate the end-user. In this case, the security service acts as a credentials collector**, authentication authority, and attribute authority. The destination Web sites act as PDP and PEP.

the SAML Reference, page 5, line 20 through page 6, line 7 (emphasis added). That is, rather than disclosing that a request is granted “if the private key matches the public key in the assertion” as recited in Claim 1, this passage of *the SAML Reference* merely discloses that, in order to authenticate a user, various “destination websites” may collect authentication information from a “credential collector” based on a token provided by the user. Respectfully, gathering authentication information from a “credential collector” in order to authenticate a user does not disclose, teach, or suggest granting a request “if the private key matches the public key in the assertion” as recited in Claim 1.

The Examiner also argues that, even though *the SAML Reference* fails to disclose “encrypting the session ticket ID and a public key into an assertion and matching a public key with a private key . . . Mishra . . . discloses encrypting the session ticket ID and a public key into an assertion and matching a public key with a private key.” *Office Action* page 4, line 19 through page 5, line 1. Applicants respectfully point out that the Examiner’s paraphrasing of Applicants claims fails to address the limitations of Claim 1. Claim 1 recites **“if the private key matches the public key in the assertion, granting at the agent the second request without reauthenticating or reauthorizing the web service customer.”** As explained above, *the SAML Reference* fails to disclose, teach, or suggest those limitations. To the extent that the Examiner argues that *Mishra* could be combined with *the SAML Reference* to disclose those limitations, Applicants respectfully disagree. Modifying the alleged web service

authentication method of *the SAML Reference* with the alleged public key / private key encryption features of *Mishra* would change *the SAML Reference*'s principle of operation.

Without conceding that the Examiner's proposed modification is technically feasible or that the Examiner's descriptions of the references are technically accurate, even if it were possible to modify the references as the Examiner suggests such that the alleged web service authentication scheme of *the SAML Reference* were operable to authenticate a user if a public key matched a private key, that modification would completely change *the SAML Reference*'s principle of operation. In particular, the Examiner's proposed modification would change the system of *the SAML Reference* from a system where various "destination websites" authenticate a user by collecting authentication information from a "credential collector" to a system that relies on matching public keys with private keys in order to authenticate a user.

The MPEP explicitly states that there is no motivation to combine references under this set of facts. "If the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are *not sufficient* to render the claims *prima facie* obvious." MPEP §2143.01 (emphasis added). Additionally, the examination guidelines issued by the United States Patent and Trademark Office ("PTO") in response to the U.S. Supreme Court's recent decision in *KSR Int'l Co. v. Teleflex, Inc.* state, in part, that "[t]he rationale to support a conclusion that the claim would have been obvious is that all the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods *with no change in their respective functions....*" *Examination Guidelines for Determining Obviousness Under 35 U.S.C. 103 in View of the Supreme Court Decision in KSR International Co. v. Teleflex Inc.*, 72 Fed. Reg. 57526, 57529 (Oct. 10, 2007) (emphasis added). According to this legal principle, Applicants respectfully contend that the Examiner's proposed combination of *the SAML Reference* with *Mishra* is improper and that Claim 1 and each of its dependent claims (e.g., Claims 3, 5, 6, 24, 25, and 33-38) are in condition for allowance. For analogous reasons, Applicants further contend that Claims 7, 26, and 32 and each of their respective dependent claims (e.g., Claims 8 and 27-31) are in condition for allowance.

II. *The SAML Reference* does not disclose, teach, or suggest that “the second request originates at the first web service” as recited in Claim 25.

Claim 25 is directed to the method of Claim 1 “wherein the first request originates at the web service customer and the second request originates at the first web service.” To reject those limitations, the Examiner generally points to pages 5 and 6 of *the SAML Reference*. However, Applicants have reviewed the entirety of *the SAML Reference*, and cannot find any teaching of the limitations above-quoted limitations of Claim 25. Rather, *the SAML Reference* merely discloses that “[a]n end user authenticates with a source Web site. The end-user then accesses a protected resource at a another Web site, without having to re-authenticate herself at that Web site (the destination Web site).” *SAML Reference*, page 5 lines 20-21. Respectfully, nothing in this passage of *the SAML Reference*, or in the remainder of the passages cited by the Examiner, discloses, teaches, or suggests the limitations, “wherein the first request originates at the web service customer and the second request originates at the first web service” as recited in Claim 25. To the extent that the Examiner intends to maintain this rejection, Applicants respectfully request the Examiner to explain how the cited portions of *the SAML Reference* allegedly disclose the above-quoted limitations of Claim 25 so that Applicants may respond accordingly. For at least these reasons, Applicants respectfully contend that Claim 25 is in condition for allowance. For analogous reasons Applicants further contend that Claims 31 and 35 are in condition for allowance.

III. All Claims are in condition for allowance.

For at least the reasons stated above, Applicants respectfully contend that each and every claim is in condition for allowance. Moreover, Applicants respectfully contend that none of the deficiencies described above with respect to *the SAML Reference* are accounted for by any of the remaining references cited by the Examiner or by the knowledge of one of ordinary skill in the art.

New Claims

Applicants have added Claim 39 which is fully supported by the Specification as originally filed and adds no new matter. Applicants respectfully contend that none of the cited references disclose, or even teach or suggest, either alone or in combination, the combination elements recited in that claim. As one example, Claim 39 depends from an

allowable independent claim, as discussed above. As another example, no reference shows that “the second request originates at the first web service independent of the web service customer requesting access to the second web service,” as recited in Claim 39.

No Waiver

Applicants have merely discussed example distinctions from the references cited by the Examiner. Other distinctions may exist, and Applicants reserve the right to discuss these additional distinctions in a later Response or on Appeal, if appropriate. By not responding to additional statements made by the Examiner, Applicants do not acquiesce to the Examiner’s additional statements. The example distinctions discussed by Applicants are sufficient to overcome the Examiner’s rejections.

CONCLUSION

Applicants have made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for other apparent reasons, Applicants respectfully request full allowance of all pending Claims. If the Examiner feels that a telephone conference would advance prosecution of this Application in any manner, the undersigned attorney for Applicants stand ready to conduct such a conference at the convenience of the Examiner.

The Examiner is authorized to charge the amount of **\$52.00** for the addition of one dependent claim to **Deposit Account No. 02-0384 of BAKER BOTTS L.L.P.** Please charge any additional fees or credit any overpayment to **Deposit Account No. 02-0384 of BAKER BOTTS L.L.P.**

Respectfully submitted,

BAKER BOTTS L.L.P.
Attorneys for Applicants



Date: 4-21-09

CORRESPONDENCE ADDRESS:

Customer Number: **05073**